UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION NO. 5:09-CR-40-BR

UNITED STATES OF AMERICA,)
Plaintiff,)) NOTICE OF APPEAL
v.)
PHILIP JOE GUYETT, JR.,)
Defendant.))

NOW COMES Defendant Philip Joe Guyett, Jr., by and through undersigned counsel, and hereby gives Notice of Appeal to the Fourth Circuit Court of Appeals from the Order and Judgment entered on October 5, 2009 by the Honorable W. Earl Britt, Senior United States District Court Judge.

Respectfully submitted this the 15th day of October, 2009.

BOYCE & ISLEY, PLLC

/s/ R. Daniel Boyce

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Defendant's Notice of Appeal* was filed with the clerk of court for the Eastern District of North Carolina using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney of record:

Jason H. Cowley, Esq. Assistant United States Attorney Terry Sanford Federal Building 310 New Bern Avenue Raleigh, North Carolina 27601-1461

This the 15th day of October, 2009.

BOYCE & ISLEY, PLLC

/s/ R. Daniel Boyce

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